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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/615,960	07/08/2003	Glenn P. Schiffmann	29666	1244

23482 7590 07/31/2006

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EXAMINER

CANFIELD, ROBERT

ART UNIT PAPER NUMBER

3635

DATE MAILED: 07/31/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/615,960	Applicant(s) SCHIFFMANN ET AL.	
	Examiner Robert J. Canfield	Art Unit 3635	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 May 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8, 10-40, 42-53, 55-57, 59, 61, 65 and 67-72 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 4, 6, 7, 11, 14-39, 49-53, 55-57, 59, 61, 65 and 68-72 is/are allowed.
- 6) ☒ Claim(s) 1-3, 5, 8-10, 12, 13, 40, 42-46, and 67 is/are rejected.
- 7) ☒ Claim(s) 47, 48 and 57 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Art Unit: 3635

1. This Office action is in response to the amendment filed 05/11/06. Claims 1-8, 10-40, 42-53, 55-57, 59, 61, 65, and 67-72 are pending. Claims 9, 41, 54, 58, 60, 62-64 and 66 have been canceled.

2. Claim 57 is objected to because of the following informalities: "first" is mistyped as "firs t" in (ii). Appropriate correction is required.

3. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

4. Claims 1-3, 5, 8-10, 12, 13, 40, 42-46, and 67 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent 5,203,130 to Frelove.

Sheet 2 of the drawings shows an assembly meeting the limitations of these claims. Outer sections 80 transverse to central section 61. Either legs 53 or 54 can meet the door leg section depending upon which side one wishes to consider the outer side. Outer leg sections are connected by third curved nose transitions at approximately S and 71, which are spaced from inner corners at approximately 20 and 21. Elements 84 form and under-curl overlying an outer surface of trim at approximately 36. Elements 66 and 67 form first and second displaced leg members. Element A of the apparatus covers less than the entire width of the inner surface and has a terminal edge thereof which does not extend substantially beyond door leg section 53. The device can be removed when

desired as discussed at the bottom of page 8. The spaced apart curvature at approximately 37 inherently forms a shock absorber which would transfer forces away from the underlying corners to the same extent as that of the instant invention.

5. Claims 4, 6, 7, 11, 14-39, 49-53, 55-57, 59, 61, 65 and 68-72 are allowed.
6. Claims 47 and 48 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.
7. Applicant's arguments filed 05/11/06 have been fully considered but they are not persuasive.

Applicant's argument that the examiner cannot pick and choose piece parts of Frelove is not found persuasive. The claims use the open ended term "comprising". Frelove comprises each of the claimed elements as noted in the above rejection. The fact that Frelove may provide more elements is not relevant as long as each of the claimed elements is provided.

Applicant's argument that the individual elements of Frelove do not meet the requirements of making a case of prima facie obviousness is not germane to an anticipatory rejection.

8. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

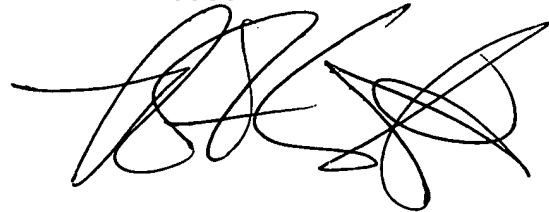
9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robert J. Canfield whose telephone number is 571-272-6840. The examiner can normally be reached on M-Th.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Carl Friedman can be reached on 571-272-6842. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Robert J Canfield
Primary Examiner
Art Unit 3635

07/23/06

A handwritten signature in black ink, appearing to be 'RJC', with a large, stylized flourish extending from the end.